

FILED  
U. S. DISTRICT COURT  
DISTRICT OF NEBRASKA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

15 AUG -5 PM 12:01  
OFFICE OF THE CLERK

PRO SE CIVIL COMPLAINT

Case No. 8:15CV294  
(the court will assign a number)

I. CASE CAPTION: Parties to this Civil Action:

Pursuant to Fed. R. Civ. P. 10(a), the names of **all** parties must appear in the case caption.  
The court will **not** consider a claim against any defendant who is not listed in the caption.

A. Plaintiff(s) Name(s): Address(es): Telephone No. (only if  
you are NOT a prisoner)

Joseph A. Kurtz 5123 So 130th St 402-378-6952

B. Defendant(s) Name(s): Address(es) If known:

Darin Matthews Temporary stay at  
5123 So 130th St  
five days - for \$50  
real address unknown?

(Attach extra sheets if necessary.)

## II. STATEMENT OF CLAIM(S)

State briefly the facts of your claim. Describe how each defendant is involved. You do not need to give legal arguments or cite cases or statutes. Use as much space as you need to state the facts. (Attach extra sheets if necessary.)

### A. When did the events occur?

About 05/15/2015 Darin Matthews stayed at ~~amount~~ \$50 of days for one week period. Darin Matthews was supposed to be in the basement of 5125 So 130TH ST visiting a resident. but was at 5123 South 130TH ST

### B. What happened?

Darin was giving Wamean Morales a tattoo and his little friend he name - his bitch - a little tattoo. I, Joseph A. Furtz, resident at 5123 So 130TH ST 68137, was doing the dishes for my niece Jody Morales. I was helping with ~~coarse~~ cleaning, laundry and dishes. When Darin Matthews stated he wanted to tattoo a penis on my arm and then said he was going to tattoo a penis on Sami Zumwalt cheek cause of some reason only he knew. My reply was, "You better think twice on that one." And continue to do the dishes.

Darin Matthews has caused other weekends stay over with bossy attitude. Ordering people, wanting to how he was going play x-box on the t.v. upstairs, when <sup>problems</sup> there was 2 down stairs t.v.

## II. STATEMENT OF CLAIM(S) (continued)

Darin argued with Mr. Fursty on another time at 4Am how he will leave at 6Am. I asked him to leave at 4Am, he had a vehicle, & money. But he left at 7:30Am the next morning when Damean <sup>Morales</sup> ~~Morales~~ left for school. Darin Matthews and little friend spent several early morning Saturday sitting 5-6 Am playing play station with Devon and Kyle Centamore, who are step brothers to Christian Anson, son of Pat and Nikki Anson. Also I have seen Darin carrying brass knuckle one day, with a knife over 6 inches long, for what reason, I am not sure. It was like some kind of hunting knife. He carry on with the two young sisters of Damean Morales. Last I knew he was working at Arby's in Millard on 144th St.

### III. STATEMENT OF JURISDICTION

Check any of the following that apply to this case (you may check more than one):

- ☒ United States or a federal official or agency is a party
- ☒ Claim arises under the Constitution, laws or treaties of the United States
- ☒ Violation of civil rights
- ☐ Employment discrimination
- ☐ Diversity of Citizenship (a matter between citizens of different states in which the amount in controversy exceeds \$75,000)
- ☐ Other basis for jurisdiction in federal court (explain below)

### IV. STATEMENT OF VENUE

State briefly the connection between this case and Nebraska. For example, does a party reside or do business in Nebraska? Is a party incorporated in Nebraska? Did an injury occur in Nebraska? Did the claim arise in Nebraska?

Warin Matthews lives some where in Millard  
he said he is a sophomore at Millard South planning  
to go to Metro Community College, on a full  
scholarship ride.

**V. RELIEF**

State briefly what you want the court to do for you.

Reimbursement for 3 nights of hotels stay's  
because the kids would lock the front door,  
which cost me \$107 a night with tax, who is  
responsible for Darin Matthews stay is responsible for  
hotel bill. \$321.00

**VI. EXHAUSTION OF ADMINISTRATIVE PROCEDURES**

Some claims, but not all, require exhaustion of administrative procedures. Answer the questions below to the best of your ability.

- A. Have the claims which you make in this civil action been presented through any type of administrative procedure within any state or federal government agency?

Yes



No

- B. If you answered yes, state the date your claims were so presented, how they were presented, and the result of that procedure:

Not several cases are on record.

- C. If you answered no, give the reasons, if applicable, why the claims made in this action have not been presented through administrative procedures:

**VII. ARE YOU REQUESTING TRIAL BY A JURY OR BY A JUDGE? (check one):**

JURY

☒

JUDGE

☒

**VIII. VERIFICATION**

**I (we) declare under penalty of perjury that the foregoing is true and correct.**

Date(s) Executed:

08/05/2015

Signature(s) of Plaintiff(s):

Joseph A. Kurtz

Note:

IF YOU CANNOT AFFORD TO PAY THE COURT'S FILING FEE UPON THE FILING OF YOUR COMPLAINT, THERE IS A SEPARATE FORM TO BE USED FOR APPLYING TO PROCEED IN FORMA PAUPERIS. Also, if there is more than one plaintiff in the case who wishes to proceed in forma pauperis, **each such plaintiff must submit a separate application to proceed in forma pauperis.**